

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

DAVID WARREN HUFFMAN,

Plaintiff,

v.

DONALD MORGAN,

Defendant.

Case No. 2:21-cv-3611

Judge Edmund A. Sargus, Jr.

Magistrate Judge Elizabeth P. Deavers

ORDER

This matter is before the Court for consideration of a Report and Recommendation issued by the Magistrate Judge on June 30, 2021. (ECF No. 5.) The time for filing objections has passed, and no objections have been filed to the Report and Recommendation. Therefore, the Court **ADOPTS** the Report and Recommendation. For the reasons set forth in the Report and Recommendation, the Court **DISMISSES** Plaintiff's claims against the Warden for compensatory damages but **GRANTS** Plaintiff leave to refile an amended complaint naming the proper Defendants and seeking the proper relief against those Defendants. This case is to remain open.

IT IS SO ORDERED.

8/9/2021
DATE

s/Edmund A. Sargus, Jr.
EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE